

# Town Council Meeting: 08 January 2007



Town of Garrett Park  
PO Box 84  
4600 Waverly Avenue  
Garrett Park, MD 20896

Regular Meeting of Town Council  
Garrett Park Town Hall  
10814 Kenilworth Avenue  
Garrett Park, MD 20896

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## MINUTES

**Call to Order:** Mayor Shawaker called the meeting to order at 8:00 PM. Present were Councilmembers Altar, Benjamin, Irons, Soltan, and Wegner, and Administrator Pratt.

**Approval of Agenda:** The Agenda was approved as posted without objection.

**Variance Hearing:**

4805 Oxford Street: Tim & Monica Tinker - Enclosure of a carport attached to a non-conforming structure. No expansion of lot coverage.

Mayor Shawaker called the hearing to order at 8:10 PM and turned the floor over to Councilmember Irons who introduced Setback Advisory Committee Chair Harry Gordon. Mr. Gordon reported that the variance was requested for the enclosure of a carport attached to a prior non-conforming structure, and that part of the carport extended into the front setback a distance of 3 feet. A building permit applied for in October had been denied because of the non-conforming status of the building with 2 out of 3 committee members believing that a variance was required. Mr. Gordon also reported that field measurements had been taken during a recent site visit and that these measurements confirmed that the building did comply with the 10 foot set-in from the side lot line, and that the building would comply with all lot-coverage and FAR requirements if the proposed construction was permitted.

Councilmembers then asked Mr. Gordon numerous questions and engaged in an extended discussion.

Mayor Shawaker then introduced the applicants who made a brief statement, which was followed by discussion with the Council regarding the application.

Councilmember Soltan **MOVED**

That the Council makes the following findings:

- 1) The structure in question pre-existed the ordinance;
- 2) Construction is not an enlargement because it will take place entirely under an existing roof;

- 3) Only a small portion of the proposed construction takes place within the front setback regulated by the ordinance;
- 4) The structure will comply with all lot coverage and floor-area ratio (FAR) requirements after the proposed construction is completed;
- 5) The proposed construction does not alter the established front building line; and
- 6) The relief sought is in harmony with the purpose of the ordinance and is not contrary to the public interest..

Therefore, in light of these findings, the changes are determined to be *de minimis*, and the request for a variance is approved.

Councilmember Wegner seconded the motion, which was **PASSED** with Councilmembers Irons, Soltan, and Wegner voting “Aye,” Councilmember Altar voting “Nay,” and Councilmember Benjamin recused himself as his property directly ~~abuts~~ that of the applicant.

Councilmember Irons **MOVED**

To take the presentation by Resa Levy, Director of Development for the Baltimore Symphony Orchestra (BSO), out of order. Councilmember Altar seconded the motion, which **PASSED** unanimously.

Ms. Levy made a presentation to the Council regarding a house tour in Garrett Park to raise money to support the BSO’s season at the Music Center at Strathmore. The tour would last two days, and hundreds of tickets would be sold, and the BSO would provide bus transportation from Strathmore Hall for attendees. As there might be traffic impact within the Town, the BSO wanted to discuss the tour with the Council. It was the sense of the Council that the Town would not object to BSO pursuing this matter using its own volunteers and any persons it may recruit from the Town.

#### **Committee Reports:**

- Penn Place Parking Committee – Councilmember Soltan reported that the committee was working on preparing the presentation at the upcoming meeting on January 29<sup>th</sup>.
- Right of Way Committee – Councilmember Soltan reported that the holidays had slowed progress, but that the committee was still waiting to receive comments so that it could finish developing its report.

#### **Mayor’s Report:**

- Mayor Shawaker briefed the Council on the January 5<sup>th</sup> walk along Strathmore Avenue by residents of Garrett Park and Garrett Park Estates with a number of Delegates, State and County officials.
- Mayor Shawaker announced that on Wednesday, January 10<sup>th</sup>, she would be attending the opening day of the General Assembly in Annapolis as well as an MML Legislative Committee meeting.

### **Councilmember's Reports**

- Website RFP Update – Councilmember Altar reported that resident Martin Trocki had identified 6 candidates to develop the website, and is working to obtain their proposals.
- Strathmore Avenue Punch List Update – Councilmember Wegner reported that the plantings had been completed and the dead trees removed. A meeting with SHA to review the situation at the Montrose culvert and to resolve the status of the new lights was being set up.

### **Approval of Minutes:**

- Councilmember Benjamin **MOVED**  
That the minutes of the 12/13/2006 regular Council meeting be approved as corrected. Councilmember Irons seconded the motion, which **PASSED** unanimously.

### **Action/Discussion:**

- Adoption of Ordinance 2006-04: Amending Section 812 of the Garrett Park Code to Reduce the Town Speed Limit to 20 MPH – Councilmember Altar **Moved**

The adoption of Ordinance 2006-04: That Section 812 of the Garrett Park Code of Ordinances, *Speed of Motor Vehicles*, is hereby amended by replacing the last four words of the section “25 miles per hour” with the words “20 miles per hour.” Councilmember Soltan seconded the motion, which **PASSED** unanimously.

### **Town Administrator Report:**

Town Administrator Pratt presented the monthly financial report.

**Adjournment:** The meeting was adjourned at 10:20 PM.

Respectfully submitted,

[ Town Seal ]

Edwin Pratt, Jr.  
Clerk-Treasurer